

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Edward Barber,
Petitioner
v.
Brian William, et al.,
Respondents

2:16-cv-01234-JAD-VCF

Order Denying Motion to Proceed *in forma pauperis* and Dismissing Case without Prejudice

[ECF No. 1]

10 On May 31, 2016, Edward Barber filed an application to proceed *in forma pauperis*, but he
11 has not submitted an accompanying habeas petition.¹ Barber's IFP application shows that he is able
12 to pay the \$5 filing fee for a habeas action, so I deny his application for pauper status. And because
13 Barber has not filed a habeas petition or any other initiating document in this case, I dismiss this case
14 without prejudice. Barber is instructed that if he wishes to file a habeas petition in this court, he must
15 initiate a new action, use the approved form for use by a pro se petitioner, and pay the \$5 filing fee in
16 full. If Barber is unable to pay the full filing fee, he must submit a new application to proceed *in*
17 *forma pauperis* that demonstrates his inability to do so.

Conclusion

19 Accordingly, IT IS HEREBY ORDERED that Barber's application to proceed *in forma*
20 *pauperis* [ECF No. 1] is DENIED, and this action is DISMISSED without prejudice.

21 The Clerk of Court is directed to enter judgment accordingly and CLOSE THIS CASE.

Dated this 10th day of June, 2016.

Jennifer A. Dorsey
United States District Judge

¹ ECF No. 1.